

DOCKET NO.: 270934US0PCT



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Shingo ODAJIMA, et al.

SERIAL NO: 10/532,506

GROUP: 1714

FILED: January 12, 2006

EXAMINER:

FOR: WAX COMPOSITION AND PROCESS OF PRODUCING THE SAME

LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a European Office Action for the Examiner's consideration. The reference(s) cited therein have been previously filed on April 25, 2005.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

Corwin Paul Umbach

Corwin P. Umbach, Ph.D.
Registration No. 40,211

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 03/06)



EPA/EPO/DEB
 D-80288 München
TX +49 89 2399-0
FAX +49 89 2399-4485

Europäisches Patentamt

Generaldirektion 2

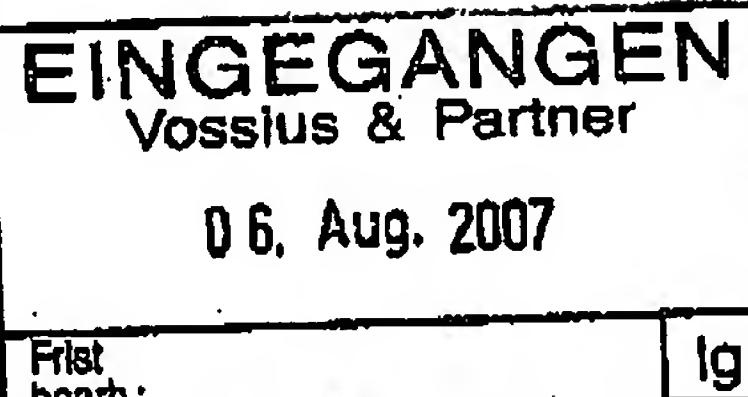
European Patent Office

Directorate General 2

Office européen des brevets

Direction Générale 2

Vossius & Partner
 Siebertstrasse 4
 81675 München
ALLEMAGNE



Telephone numbers: Branch at The Hague

Primary Examiner (substantive examination) +31 70 340-2851

Formalities Officer / Assistant (Formalities and other matters) +31 70 340-0



Application No. 03 758 776.3 - 1214	Ref. L 1610EP	Date 30.07.2007
Applicant KAO CORPORATION		

Communication pursuant to Article 96(2) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(1) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

of 4 months

from the notification of this communication, this period being computed in accordance with Rules 78(2) and 83(2) and (4) EPC.

One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (Rule 36(1) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Article 98(3) EPC).



Hillebrand, Gerhard
 Primary Examiner
 for the Examining Division

Enclosure(s): 2 page/s reasons (Form 2906)



Beschluß/Protokoll (Anlage)	Communication/Minutes (Annex)	Notification/Procès-verbal (Annexe)
Datum Date Date 30.07.2007	Blatt Sheet Feuille 1	Anmelde-Nr.: Application No.: 03 758 776.3 Demande n°:

The examination is being carried out on the following application documents:

Description, Pages

1-42 as originally filed

Claims, Numbers

1-25 as originally filed

Drawings, Sheets

1/4-4/4 as originally filed

1. Documents

- D1: JP-A-7 278 510 24 October 1995
- D2: JP 58 013 699 A 26 January 1983
- D3: JP 50 007 802 A 27 January 1975
- D4: JP 57 032 447 A 22 February 1982
- D5: JP-A-5 339 557 21 December 1993
- D6: JP 2001 288295 A 16 October 2001
- D7: JP 2002 266284 A 18 September 2002
- D8: JP 2003 005431 A 08 January 2003
- D9: JP 2002 072559 A 12 March 2002

2. Clarity

a)

Having regard to Rule 29(2) it does not appear to be expedient to have more than one independent claim per category. In the present case the amount of independent claims is



Beschluß/Protokoll (Anlage)	Communication/Minutes (Annex)	Notification/Procès-verbal (Annexe)
Datum Date Date 30.07.2007	Blatt Sheet Feuille 2	Anmelde-Nr.: Application No.: 03 758 776.3 Demande n°:

confusing and makes it difficult to determine the subject-matter for which protection is sought. The number of independent claims is limited to one independent claim in each category (Art. 84 EPC; Guidelines C III 3.2 and T56/01).

At present claims 1,6,7,9,17 and 24 are formulated as independent claims.

b)

Terms like "biodegradable" are vague and relative terms, as every polymer is depending on circumstances more or less biodegradable. Thus independent claims 6,7 and 9 lack clarity.

3. Novelty and inventive step

The applicants attention is drawn to the IPER and the International Search Report.

With regard to the relevance of documents D1-D6 and D8 the applicant is hereby requested to file translations of these documents into one of the official languages of the EPO.

4. Others

To meet the requirements of Rule 27(1) EPC, the documents D1-D9 should be identified in the description and the relevant background art disclosed therein should be briefly summarised in an objective way.